

DECEMBER 11, 2007

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURTUNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

RECEIVED

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DEC 03 2007MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURTDwight Thomas(Enter above the full name  
of the plaintiff or plaintiffs in  
this action)

07CV6798

JUDGE SHADUR

MAGISTRATE JUDGE MASON

vs.

Case No: \_\_\_\_\_  
(To be supplied by the Clerk of this Court)Percy ColemanLietanant GarbsStateville Correctional CenterJudge GoldenKane County courtPenitentiaryville Correctional Center(Enter above the full name of ALL  
defendants in this action. Do not  
use "et al.")

## CHECK ONE ONLY:

XCOMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983  
U.S. Code (state, county, or municipal defendants)COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE  
28 SECTION 1331 U.S. Code (federal defendants)

OTHER (cite statute, if known)

BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR  
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.

**I. Plaintiff(s):**

- A. Name: Dwight Thomas
- B. List all aliases: Devon Watts, Roosevelt Thomas
- C. Prisoner identification number: 2007-002-7409 - K84544
- D. Place of present confinement: Cook County jail
- E. Address: 2650 South California, Chgo IL, 60608

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, and current address according to the above format on a separate sheet of paper.)

**II. Defendant(s):**

(In **A** below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in **B** and **C**.)

- A. Defendant: Percy Coleman  
 Title: (Parole Supervisor)  
 Place of Employment: ~~to~~ Illinois Department of Correction
- B. Defendant: Luetenant Garbs  
 Title: Luetenant at Stateville Correctional Center  
 Place of Employment: Illinois Department of Correction
- C. Defendant: Judge Golden  
 Title: Judge in the Circuit Court of Kane County, Illinois  
 Place of Employment: Magistrate in Kane County Court

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

Defendants(S)

II.

Kennebunk County Court - I don't know the title or person in Charge.

Penckneyville Correctional Center - I don't know the title or person in Charge.

### III. Exhaustion of Administrative Remedies

You are required to exhaust all your available administrative remedies before bringing an action in federal court.

A. Is there a grievance procedure available at your institution?

YES (☒) NO ( ) If there is no grievance procedure, skip to F.

B. Have you filed a grievance concerning the facts in this complaint?

YES (☒) NO ( )

C. If your answer is YES:

1. What steps did you take?

I filled a grievance in Pinckneyville Correctional Center through the Counselor

2. What was the result?

No result, I was still held in Custody and upon my release My ~~parole~~ Parole was not shortened my sentence was ran Consecutive instead of Concurrent

3. If the grievance was not resolved to your satisfaction, did you appeal? What was the result (if there was no procedure for appeal, so state.)

I was released so had no time to appeal

D. If your answer is NO, explain why not:

I was Released and Couldn't afford Civil suit so was forced to be subjected to whatever parole felt was my Supervised Release.

- E. Is the grievance procedure now completed? YES (~~X~~) NO ( )
- F. If there is no grievance procedure in the institution, did you complain to authorities?  
YES ( ) NO (~~X~~)

G. If your answer is **YES**:

1. What steps did you take?

NA

2. What was the result?

NA

H. If your answer is **NO**, explain why not:

My answer is No because Authorities have nothing to do with sentencing that is done by the State of Illinois, My situation needed a lawyer which I couldn't afford at the time.

**IV. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court (including the Central and Southern Districts of Illinois):**

- A. Name of case and docket number: NA
- B. Approximate date of filing lawsuit: NA
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: NA
- D. List all defendants: NA
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): NA
- F. Name of judge to whom case was assigned: NA
- G. Basic claim made: NA
- H. Disposition of this case (for example; Was the case dismissed? Was it appealed? Is it still pending?): NA
- I. Approximate date of disposition: NA

**IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.**

V. **Statement of Claim:**

State here as briefly as possible the facts of your case. Describe precisely how each defendant is involved. Include also the names of other persons involved, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

Percy Coleman is involved in My Case because he is the Supervisor of Parole and it is his job to know exactly when parole is terminated and as a result issued a warrant for parole on unrelated assumed Charges which now is in custody for at this present time, and in actuality no parole exist.  
2/57/07 103rd Halsted

Luetarant Garbs is involved in the Case because In Stateville RCDC, I talked to him about my case being run Concurrent and he saw paperwork and did nothing about it to correct the mistake the IDOC had Made, and he was the only person in beginning stages that I could talk to because RCDC is Segregated.  
15/13/05 Stateville Correctional Center RCDC <sup>Sentence wasn't complete until 2007</sup>

Judge Golden is involved cause upon my agreement to 3 years ran Concurrent with Cook County cases in open court was stimulated that everything that applied to Cook County Case also Applies to Kane

County Case cause Cook County Cases was also 3 years which all was Stimulated upon agreement because Cook County case time was already up so I was suppose to be released upon agreement, instead I did more time which was not part of Plea agreement. (5/4/05 Kane County court building  
Sentence wasn't complete until 2007

Kane County Court got a habeas Corpus from me while I was in Cook County and didn't answer to the legal document within six months and violated due process and messed up plea agreement to be ran concurrent with Cook County case and covered up situation. (5/4/05 Kane County  
Sentence wasn't complete until 2007

Stateville Correctional Center saw legal paperwork stating case was ran concurrent and didn't act on legal document violating a court order and plea agreement.

Sentence wasn't complete until 2007 (5/13/05 Stateville Correctional Center

Pennockville Correctional center gave good time for a concurrent case that was already processed running the case consecutive instead of concurrent and promised to begin parole time cause the sentence exceeded 3 years total making the sentence override itself (7/01/05 Pennockville Correctional Center  
7/01/05 sentence wasn't complete until 2007



**VI. Relief:**

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I will like to be Compensated for pain and suffering and extra jail time which was done, and also compensated for parole issuing warrant for present case which helped my present incarceration which parole never existed.

**CERTIFICATION**

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 25 day of Oct, 2007

Dwight Thomas

(Signature of plaintiff or plaintiffs)

Dwight Thomas

(Print name)

2007-002-7409 - K84544

(I.D. Number)

2650 South California Chgo IL  
60608

(Address)

4-B68

DC 1329

## MERITORIOUS GOOD TIME WHEN SENTENCE IS DETERMINATE UNDER 1978 LAW

NAME Dwight H. Komar NUMBER RT 944 DATE 7-12-05**(STEP 1)**

Yr. Mo. Day

02-10 mst (Meritorious Good Time Awarded  
By The Director On 7-10-05)**(STEP 2)** (MITTIMUS NUMBER 030F417  
0410F1741)

## PROJECTED OUT DATE

Yr. Mo. Day

<u>04-03-22</u>	(Custody Date)
<u>+ 1-16</u>	(Sentence Less G.C.C.)
<u>05-04-22</u>	(Projected Out Date or PRB Projected Out Date)
<u>+ or -</u>	(Previous Time - Lost/Awarded)
<u>05-09-22</u>	(Projected Out Date)
<u>- 02-10</u>	(Meritorious Good Time)
<u>05-07-12</u>	(Adjusted Projected Out Date)

**(NOTATION)**

Yr. Mo. Day

                      
 (Recustody Date)  
 (Bond, Escape, Etc.)  
 (Time Lost)

 Adj. Proj. Out Date 7-12-05 Terminal Operator                       
 Calculated By                      Date Entered                     
DC 1329 (Rev.10/96)  
IL 426-00529

# IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT KANE COUNTY, ILLINOIS

Case No. 03-11-1347

People of State of Illinois		
Plaintiff(s)	Defendant(s)	
Plaintiff(s) Atty.	Defendant(s) Atty.	
Judge	Court Reporter	Deputy Clerk
A copy of this order <input type="checkbox"/> should be sent <input type="checkbox"/> has been sent		
<input type="checkbox"/> Plaintiff Atty. <input type="checkbox"/> Defense Atty. <input type="checkbox"/> Other		

File Stamp

## JUDGMENT ORDER (JGDMTO)

- ☒ The Court/ Jury having found the defendant guilty of: 925 ILCS 12-1.1  
☒ Original ☐ Lesser/Incl. ☐ Amended Statute: 925 ILCS 12-1.1  
☐ A motor vehicle was involved in the commission of the felony  
☒ Judgment entered on conviction and sentence (101).  
☐ Nolle Prosequi Count(s)

## UPON THE DEFENDANT'S PLEA/VERDICT OF GUILTY THE FOLLOWING SENTENCE IS HEREBY IMPOSED

- |  |        |      |
|--|--------|------|
| <input type="checkbox"/> 208 - Withhold Judgment - Court Supervision   | Months | Days |
| <input type="checkbox"/> 215 - Withhold Judgment - 720 ILCS 550/710 Probation  |        |      |
| <input type="checkbox"/> 216 - Withhold Judgment - 720 ILCS 570/410 Probation  |        |      |
| <input type="checkbox"/> 204 - Probation (Automatic \$25 month fee <u>12</u> months fee waived)                                      |        |      |
| <input type="checkbox"/> 210 - Intensive Probation for <u>12</u> months.   |        |      |
| <input type="checkbox"/> 206 - Conditional Discharge (\$50 per calendar year fee <u>1</u> years <input type="checkbox"/> fee waived) |        |      |
| <input type="checkbox"/> 209 - Perform public service <u>0</u> hours.  |        |      |
| <input type="checkbox"/> 213 - Electronic Monitoring: \$ <u>0</u> (per day) \$ <u>0</u> (total)                                      |        |      |

- The Defendant to report to ☐ Judge ☐ Court Services ☐ Judge and Court Services ☐ Non Reporting  
☐ Fine: \$ 0 ☐ Fine = \$ 0 after Pretrial Detention Credit. ☐ Costs: \$ 0  
☐ Statutory Assessment Fee: \$ 0 ☒ Trauma Center Fee: \$100 ☐ Sex Registration Fee: \$ 0  
☐ DNA Fee \$200 + Collection Fee of \$ 50 to 0 ☐ Spinal Cord Injury \$5 ☐ Drug Fine: \$ 0  
☐ Drug Testing Fee: \$ 0 ☐ IPS-Fee \$200 ☐ Crime Lab Fee \$100 ☐ Pub Def Fee of \$ 0 ☐ Reserved  
☐ Restitution: \$ 0 to 0 (Name and Address)  
☐ Sheriffs costs: \$ 0 ☐ Fee Waived ☐ Drug Assessment Fee \$ 0 ☐ Other \$ 0

THE DEFENDANT SHALL PAY FINES, COSTS, AND FEES, totaling (including Probation) \$ 0 in monthly payments of \$ 0 per month, with the first payment due 01/11/2008. Monthly payment does not include weekend fees or any fees assessed prior to or post disposition.

## THE DEFENDANT TO SERVE THE FOLLOWING PERIODS OF INCARCERATION

- |   |          |          |          |
|---|----------|----------|----------|
| <input checked="" type="checkbox"/> 201 - Department of Corrections                       | Years    | Months   | Days     |
| <input type="checkbox"/> 202 - Kane County Jail   | <u>0</u> | <u>0</u> | <u>0</u> |
| <input type="checkbox"/> 203 - Periodic Imprisonment (\$15 per day-weekend equals 3 days) |          |          |          |
| <input checked="" type="checkbox"/> 250 - Credit for time served: <u>0</u>                |          |          |          |
- ☒ The sentence of 0 shall run ☐ Consecutive ☒ Concurrent to the term imposed by the Circuit Court of 03-11-1347 County, case number 03-11-1347  
☐ Defendant to begin incarceration on 01/11/2008

## THE DEFENDANT TO COMPLY WITH THE FOLLOWING CONDITIONS:

- ☐ Follow all rules of ☐ Probation ☐ Conditional Discharge ☐ Electronic Home Monitoring ☐ Community Service ☐ TASC  
☐ Alcohol/Drug Evaluation ☐ KCDC Evaluation/Treatment ☐ No Contact with 0  
☐ Other: 0

Date: 12/11/2007

Judge: 03-11-1347